

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO (TOLEDO)

FILED
JUN 08 2020
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

UNITED STATES OF AMERICA
Plaintiff

vs.

Case No.

3:06-cr-00474-3

FRANK N. BADGETT
DEFENDANT

Hon. Jack Zouhary

DEFENDANT'S EMERGENCY MOTION
FOR COMPASSIONATE RELEASE TO
HOME CONFINEMENT

Now comes, Frank N. Badgett, Pro Se, and moves this Honorable Court to order the government to release him to home confinement. Defendant states as follows:

1. This motion is made pursuant to Attorney General Barr's Bureau of Prisons Memorandum of March 27, 2020 regarding release to home confinement in response to the COVID-19 pandemic.

2. Mr. Badgett's PATTERN score makes him eligible for home confinement.

3. Mr. Badgett's home address is on Eastgate Rd in Toledo, Ohio 43614 where there is a low incidence of coronavirus.

4. Mr. Badgett is 51 1/2 yrs. old and suffers from Hypertension, (high blood pressure) and high cholesterol, if not treated properly will lead to heart disease. Mr. Badgett also has sickle-cell, all of which places him at high risk for mortality from COVID-19 virus.

5. Mr. Badgett submitted an electronic request to Mark Williams (Warden) on May 6, 2020 ~~and to date~~ for Compassionate release and to date hasn't received a response.

6. The President's recommendation for social distancing can best be accomplished with home confinement.

7. With consideration of his earned good time, Mr. Badgett has served well over half of his 274 month sentence, by

Serving 164 months in the Case No. 3:06-cr-00474-JZ-3, in which he was sentenced.

8. Mr. Badgett is a low risk for recidivism as indicated by his eligibility for home confinement as indicated by his PATTERN Score.

9. Mr. Badgett has achieved OUT custody with the Bureau of Prisons and has been allowed to leave the facility to perform a work detail.

10. Mr. Badgett's home confinement would greatly benefit his family.

11. Mr. Badgett's extremely low custody rating reveals that he poses no threat to the community and is clearly suitable for home detention.

12. The spirit and intent of the recently enacted First Step Act and its likely sequelae is to move non-violent, elderly, low recidivism risk, medically fragile inmates to home confinement.

13. The COVID-19 pandemic represents a high risk of mortality for Mr. Badgett.

WHEREFORE, Badgett respectfully prays that this Honorable Court grant this motion and enter an order requiring the government to release Mr. Badgett to home confinement.

Respectfully submitted

Frank N. Badgett
Frank N. Badgett

Reg. No. 43606-060

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CERTIFICATE OF SERVICE

I, Frank Nahshon Badgett, certify under penalty of perjury as mandated by 28 U.S.C. 1746 that the foregoing EMERGENCY MOTION FOR COMPASSIONATE RELEASE TO HOME CONFINEMENT was placed in the internal legal-mailbox at the institution of confinement on the 3rd day of June, 2020 and sent to United States District Court Northern District of Ohio (Toledo) at 1716 SPIELBUCH Ave. Toledo, Ohio 43604

Respectfully Submitted

CC: file

Frank N. Badgett

Frank N. Badgett

Reg No. 43606

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